

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Chien-Hsuan Han

Examiner: Nissa M. Westerberg

Application No.: 10/815,926

TC/Art Unit: 1609

Filed: April 2, 2004

Title: Pharmaceutical Dosage Forms Having Immediate and Controlled Release Properties that Contain a GABA-B Receptor Agonist

Attorney Docket Number: 21077-8

Date: April 4, 2008

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir/Madam:

In order to comply with the duty of disclosure under 37 C.F.R. § 1.56, transmitted herewith is an Information Disclosure Statement (IDS) in connection with the above-identified pending patent application. This IDS complies with the requirements under 37 C.F.R. § 1.98 and is being submitted pursuant to:

- ☐ **37 C.F.R. § 1.97(b)**, wherein the IDS is being offered for consideration in a:
- ☐ national application, within three (3) months of the application filing date of the national application or before the mailing date of a first Office Action on the merits.
 - ☐ international applications, within three (3) months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 or before the mailing date of a first Office Action on the merits.
 - ☐ a Request for Continued Examination (RCE) under § 1.114, before the mailing date of a first Office Action on the merits

- ☒ **37 C.F.R. § 1.97(c)**, wherein the IDS is being offered for consideration after the mailing date of a first Office Action on the merits or after the filing of an RCE under 37 C.F.R. § 1.114, but before the mailing date of a final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311 and, accordingly, is accompanied by:

- ☒ the fee of \$180.00 set forth under 37 C.F.R. § 1.17(p)

or

- ☐ a Statement under 37 C.F.R. § 1.97(e):

- ☐ see attached Statement under 37 C.F.R. § 1.97(e).

- ☐ The undersigned attorney hereby states that each item information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this IDS.

- ☐ **37 C.F.R. § 1.97(d)**, wherein the IDS is being offered for consideration after the mailing date of a final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before, or simultaneously with, the payment of the Issue Fee and, accordingly, is accompanied by:

- ☐ the fee of \$180.00 set forth under 37 C.F.R. § 1.17(p)

and

- ☐ a Statement under 37 C.F.R. § 1.97(e):

- ☐ see attached Statement under 37 C.F.R. § 1.97(e).

- ☐ The undersigned attorney hereby states that each item information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of this IDS.

Fees & Method of Payment

- ☐ There is no fee required for submission of this IDS.
- ☐ The aforementioned selected fee is required for submission of this IDS.
- ☒ Fee payment(s) submitted via EFS-Web.
- ☒ The Commissioner is hereby authorized to charge Deposit Account No. 501358.
- ☒ The Commissioner is hereby authorized to charge any deficiency in fees, or credit overpayment of the same, to Deposit Account No. 501358.

The Examiner's attention is respectfully directed to reference nos. 7 and 12 of the attached PTO/SB/08 form, which were cited in the International Search Report of the corresponding International Patent Application No. PCT/US05/11032 filed April 1, 2005. A copy of the International Search Report is enclosed for the Examiner's convenience.

It is respectfully requested that the references be fully considered by the U.S. Patent and Trademark Office during the examination of this application and printed on any patent which may issue thereon. Accordingly, Applicant(s) kindly requests that a copy of Forms PTO/SB/08, as considered and initialed by the Examiner, be returned with the next office communication.

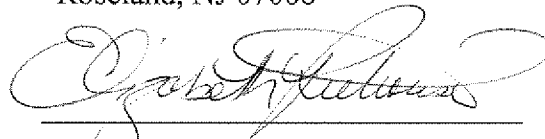
An early and favorable action is respectfully requested.

Respectfully submitted,

Lowenstein Sandler PC
65 Livingston Avenue
Roseland, NJ 07068

Dated: April 4, 2008

By:



Elizabeth Pietrowski, Esq.
Attorney for Applicant
Reg. No. 52,121